

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

BARBARA E. VARNER,

Plaintiff

vs.

COMMONWEALTH OF PA, *ET AL.*,

Defendants

CIVIL ACTION

NO. 01-CV-01-0725

8
7/19/01
J
FILED
HARRISBURG
JUL 18 2001
MARY E. D'ANDREA, CLERK
Per
DEPUTY CLERK

**MOTION TO DISMISS FILED ON BEHALF OF COURT DEFENDANT,
COMMONWEALTH OF PENNSYLVANIA, NINTH JUDICIAL DISTRICT**

NOW COMES Defendant, Commonwealth of Pennsylvania, Ninth Judicial District

("Court Defendant"), under Rule 12 (b) (6) of the Federal Rules of Civil Procedure, and respectfully requests this Honorable Court to dismiss that portion of Plaintiff's Complaint which alleges entitlement to punitive damages, for reasons set forth in the accompanying Brief.

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